

Nixon Says: Communism's Basic Negativity On the Market Principle Has Made Political And Legal Philosophy Almost Non-Existent

Of the Communist legal and political philosophy, we can almost say that there is none. This lack is not an accident, but is an integral part of the systematic negations which make up the Communist philosophy.

According to Marx and Engels the whole life of any society is fundamentally determined by the organization of its economy. What men will believe; what gods, if any, they will worship; how they will choose their leaders or let their leaders choose themselves;

This article is extracted from Vice President Richard M. Nixon's report on "The Meaning of Communism to Americans." The Republican Presidential nominee has said he will make a number of reports on major issues.

how they will interpret the world about them;—all of these are basically determined by economic interests and relations. In the jargon of Communism: religion, morality, philosophy, political science and law constitute a "superstructure" which reflects the underlying economic organization of a particular

an end to law and legal processes, Pashukanis was quietly taken off and shot without even the semblance of a trial.

As in the case of economics, since Pashukanis' liquidation there has developed in Russian intellectual life a substantial gray market for capitalistic legal and political theories. But where Russian economists seem ashamed of their concessions to the market principle, Russian lawyers openly boast of their legal and political system, claiming for it that it does everything that equivalent "bourgeois" institutions do, only better. This boast has to be muted somewhat, because it still remains a matter of dogma that under mature Communism law and the state will disappear. This embarrassing aspect of their inherited doctrine the Soviet theorists try to keep as much as possible under the table. They cannot, however, openly renounce it without heresy, and heresy in the Soviet Union, be it remembered, still requires a very active taste for extinction.

One of the leading books on Soviet legal and political theory is edited by a lawyer who is well-known in this country, the late Andrei Vyshinsky. In the table-pounding manner he made famous in the U.N., Vyshinsky praises Soviet legal and political institutions to the skies and contrasts their awesome purity with the "patriotic vendors"

emanating from the capitalist countries. He points out, for example, that in Russia the voting age is 18, while in many capitalist countries it is 21.

The capitalists thus disenfranchise millions of young men and women, because, says Vyshinsky, it is feared they may not yet have acquired a properly safe "bourgeois" mentality. As one reads arguments like this spelled out with the greatest solemnity, and learns all about the "safeguards" of the Soviet Constitution, it comes as a curious shock to find it openly declared that in the Soviet Union only one political party can legally exist and that the Soviet Constitution is "the only constitution in the world which frankly declares the directing role of the party in the state."

One wonders what all the fuss about voting qualifications is about if the voters are in the end permitted only to vote for the candidates chosen by the only political party permitted to exist. The plain fact is, of course, that everything in the Soviet constitution relating to public participation in political decisions is a facade concealing the real instrument of power that lies in the Communist party. It has been said that hy-

ascan of history as a fraud and delusion, beneath the contempt of Communist science. How, then, is law defined today in Russia? We have an authoritative answer. It is declared to be "the totality of the rules of conduct expressing the will of the dominant class," designed to promote those relationships that are advantageous and agreeable to the dominant class.

Law in the Soviet Union is not conceived as a check on power, it is openly and proudly an expression of power. In this conception surely, if anywhere, the bankruptcy of Communism as a moral philosophy openly declares itself.

It is vitally important to emphasize again that all of the truly imposing absurdities achieved by Communist thought—in whatever field: in economics, in politics, in law, in morality—that all of these track back to a single common source. The origin lies in a belief that nothing of universal validity can be said of human nature, that there are no principles, values or moral truths that stand above a particular phase in the evolution of society.

This profound negation lies at the very heart of the Communist philosophy and gives to it both its motive force and its awesome capacity for destruction. It is this central negation that makes Communist ideology totally inconsistent with the ideal of human freedom.